

AUG 19 2005

PTO/SB/31 (06-03)

Approved for use through 07/31/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 01AB121/ALBRP112USB	
I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being sent via facsimile to: (703) 872-9306, "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on <u>August 19, 2005</u>		In re Application of Frederick M. Discenzo, et al.	
Signature <u>John M. Ling</u>		Application Number 09/965,545	Filed 9/27/01
Typed or printed name <u>John M. Ling</u>		For MOTORIZED SYSTEM INTEGRATED CONTROL	
		Art Unit 2154	Examiner Aaron C. Perez Daple

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 500.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____

☐ A check in the amount of the fee is enclosed. 08/22/2005 HBINAS 00000020 09965545

☒ Payment by credit card. Form PTO-2038 is attached. 01 FC:1401 500.00 OP

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1063. I have enclosed a duplicate copy of this sheet.

☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

☐ attorney or agent of record. Registration number _____

☒ attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a) 51,216

John M. Ling Signature
John M. Ling
Typed or printed name
(216) 696-8730
Telephone number
August 19, 2005
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PATENT

01AB121

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being faxed to 571-273-8300 on the date shown below to Mail Stop After Final, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Date:

8/19/05

John M. Ling

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AUG 19 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Applicant(s): Fred Discenzo *et al.*

Examiner: Aaron C. Perez Daple

Serial No: 09/965,545

Art Unit: 2121

Filing Date: September 27, 2001

Title: MOTORIZED SYSTEM INTEGRATED CONTROL AND
DIAGNOSTICS USING VIBRATION, PRESSURE, TEMPERATURE,
SPEED, AND/OR CURRENT ANALYSIS

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Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

08/22/2005 MBINAS 00000020 09965545

02 FC:1251

120.00 0P

SUPPLEMENTAL REPLY TO ADVISORY ACTION DATED JUNE 28, 2005

Dear Sir:

This communication is in response to a telephonic conversation with Examiner Perez-Daple on August 10, 2005, during which the Examiner indicated that no Notice of Appeal was received with the original Reply to Advisory Action dated June 28, 2005, as filed by facsimile transmission on July 26, 2005. In that Reply, a statement of was made that a Notice of Appeal was being filed concurrently therewith, along with a credit card payment form authorizing payment there for as well as for a one-moth extension of time. Because the

09/965.54501AB121

original Reply to Advisory Action was submitted within the one-month extension period for reply, it is believed that no additional fees are required at this time.

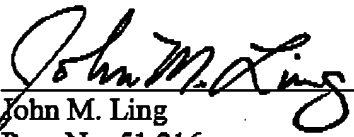
Accordingly, a Notice of Appeal is submitted concurrently herewith, along with a credit card payment form authorizing payment of \$620.00 (\$500.00 for the Notice of Appeal and \$120.00 for a one-month extension). Additionally, a copy of the Auto-Reply Facsimile Transmission from the USPTO for the original Reply to Advisory Action, faxed on July 26, is provided.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

AMIN & TUROCY, LLP


John M. Ling
Reg. No. 51,216

AMIN & TUROCY, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone (216) 696-8730
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Auto-Reply Facsimile Transmission



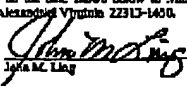
TO: Fax Sender at 216 696 8731

Fax Information
Date Received: 7/26/2005 2:23:19 PM [Eastern Daylight Time]
Total Pages: 15 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

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Cover
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07/26/2005 15:17 FAX 216 696 8731		AMIN, & TUROCY LLP.		001	
PATENT		01AB121			
CERTIFICATE OF FACSIMILE TRANSMISSION					
I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being filed to 573-0373-XXXX on the date shown below to Mail Stop Admin Final, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.					
Date: 7/26/05		 John M. Ling			
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE					
In re patent application of:					
Applicant(s): Fred Disenzo et al.		Examiner: Aaron C. Perez Dapic			
Serial No: 09/965,545		Art Unit: 2121			
Filing Date: September 27, 2001					
Title:		MOTORIZED SYSTEM INTEGRATED CONTROL AND DIAGNOSTICS USING VIBRATION, PRESSURE, TEMPERATURE, SPEED, AND/OR CURRENT ANALYSIS			
Mail Stop Admin Final Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450					
REPLY TO ADVISORY ACTION DATED JUNE 28, 2005					
Dear Sir:					
A Notice of Appeal is being filed concurrently herewith, along with a credit card payment form authorizing payment of \$620.00 (\$500.00 for the Notice of Appeal and \$120.00 for a one-month extension). Favorable reconsideration of the above-identified patent application is respectfully requested in view of the comments below.					
PAGE 1/15 * RCVD AT 7/26/2005 2:23:19 PM [Eastern Daylight Time] * SVR:USPTO-EFXXF-6/27 * DNIS:2738300 * CSID:216 696 8731 * DURATION (mm-ss):01:24					